

Remarks

The final Office Action dated March 26, 2008 lists the following rejections: claims 1-12 stand rejected under 35 U.S.C. § 103(a) over Martel *et al.* (U.S. Patent No. 5,887,165); and claim 13 stands rejected under 35 U.S.C. § 103(a) over Martel in view of Wu *et al.* (U.S. Patent No. 6,862,643).

Applicant respectfully traverses the § 103(a) rejection of claims 1-10 because the cited portions of the Martel reference do not correspond to the claimed invention which includes, for example, aspects directed to the configuration/control unit receiving an activation signal and, in response thereto, configuring the subsystem. Applicant submits that the Examiner's assertion of correspondence between Martel and the claimed invention is illogical. Specifically, Martel's CPU 17 (*i.e.*, the Examiner's alleged controller portion of the configuration/control unit) provides the configuration signal (*i.e.*, the Examiner's alleged activation signal) to configuration memory 19 and gate array 13. *See, e.g.*, Figure 1. Martel's CPU 17 provides the configuration signal instead of receiving the configuration signal and configuring the subsystem in response to the configuration signal. Thus, Martel's CPU 17 does not correspond to the controller portion of the configuration/control unit. Accordingly, the § 103(a) rejection of claims 1-10 is improper and Applicant requests that it be withdrawn.

Applicant respectfully traverses the § 103(a) rejections of claims 11-13 because the cited portions of the Martel reference do not correspond to the claimed invention which includes, for example, aspects directed to the configuration/control unit receiving a configuration/control ID from the processor. The Examiner erroneously asserts that Martel's configuration memory 19 corresponds to the claimed configuration/control unit. *See, e.g.*, Figure 1. Applicant submits that it would be readily apparent to the skilled artisan that Martel's configuration memory 19 does not correspond to the claimed configuration/control unit which can be, for example, a state machine (*see, e.g.*, claim 12). Regarding claim 12, Applicant notes that the Examiner discusses Martel's controller (*i.e.*, CPU 17), which has been asserted as corresponding to the processor of claimed invention, not the configuration/control unit. Accordingly, the § 103(a) rejections of claims 11-13 are improper and Applicant requests that they be withdrawn.

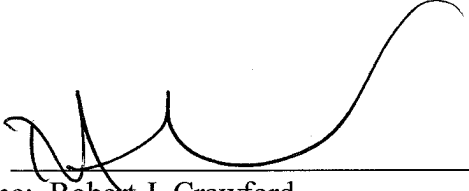
Applicant respectfully traverses the § 103(a) rejections of claims 1-13 because the Examiner appears to improperly rely upon Official Notice unsupported by documentary evidence and because the Examiner fails to provide any motivation for the proposed modification of the Martel reference. In this instance, the Examiner asserts that “it would have been an obvious matter of alternate arrangement to store a plurality of configuration parameters”. According to M.P.E.P. § 2144.03, “It would not be appropriate for the examiner to take official notice of facts without citing a prior art reference where the facts asserted to be well known are not capable of instant and unquestionable demonstration as being well-known” and “While "official notice" may be relied on, these circumstances should be rare when an application is under final rejection”. Thus, Applicant respectfully requests that the Examiner provide documentary evidence to support the assertion that it would be obvious to store a plurality of configuration parameters. Moreover, the mere fact that the skilled artisan could rearrange the parts of the reference device to meet the terms of the claims is not by itself sufficient to support a finding of obviousness. The Examiner must also provide a motivation or reason for the skilled artisan, without the benefit of Applicant’s specification, to make the necessary changes in the reference device. *See, e.g.*, M.P.E.P. § 2144.04. Thus, Applicant respectfully requests that the Examiner provide motivation for the skilled artisan to modify the Martel reference to store a plurality of configuration parameters. Accordingly, the § 103(a) rejections of claims 1-13 are improper and Applicant requests that they be withdrawn.

In view of the remarks above, Applicant believes that each of the rejections has been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is asked to contact the agent overseeing the application file, Peter Zawilski, of NXP Corporation at (408) 474-9063 (or the undersigned).

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